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Attorneys for Complainant

**BEFORE THE
PHYSICAL THERAPY BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

KRISTA ANNE CREED,
2529 Hermosa Ave.
Montrose, California 91020

Physical Therapist Assistant License No.
AT 5193

Respondent.

Case No. ID 2004 64071

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

In the interest of a prompt and speedy settlement of this matter, consistent with the public interest and the responsibility of the Physical Therapy Board of California of the Department of Consumer Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order which will be submitted to the Board for approval and adoption as the final disposition of the Accusation.

PARTIES

1. Steven K. Hartzell (Complainant) is the Executive Officer of the Physical Therapy Board of California (Board). He brought this action solely in his official capacity and is represented in this matter by Bill Lockyer, Attorney General of the State of California, by Chris Leong, Deputy Attorney General.

2. Respondent Krista Anne Creed (Respondent) is represented in this proceeding by attorney Gary M. Paul, Esq., whose address is 1401 Ocean Ave. #200

1 Santa Monica 90401.

2 3. On or about August 31, 1998, the Board issued Physical Therapist
3 Assistant License No. AT 5193 to Krista Anne Creed, (Respondent). The license was in full
4 force and effect at all times relevant to the charges brought in Accusation No. ID 2004 64071
5 and will expire on April 30, 2006, unless renewed.

6 **JURISDICTION**

7 4. Accusation No. ID 2004 64071 was filed before the Board and is
8 currently pending against Respondent. The Accusation and all other statutorily required
9 documents were properly served on Respondent on June 29, 2005. Respondent has not timely
10 filed her Notice of Defense contesting the Accusation. A copy of Accusation No. ID 2004 64071
11 is attached as Exhibit A and incorporated herein by reference.

12 **ADVISEMENT AND WAIVERS**

13 5. Respondent has carefully read, fully discussed with counsel, and
14 understands the charges and allegations in Accusation No. ID 2004 64071 . Respondent has also
15 carefully read, fully discussed with counsel, and understands the effects of this Stipulated
16 Settlement and Disciplinary Order.

17 6. Respondent is fully aware of her legal rights in this matter, including the
18 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
19 counsel at her own expense; the right to confront and cross-examine the witnesses against her;
20 the right to present evidence and to testify on her own behalf; the right to the issuance of
21 subpoenas to compel the attendance of witnesses and the production of documents; the right to
22 reconsideration and court review of an adverse decision; and all other rights accorded by the
23 California Administrative Procedure Act and other applicable laws.

24 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
25 each and every right set forth above.

26 **CULPABILITY**

27 8. Respondent admits the truth of each and every charge and allegation in
28 Accusation No. ID 2004 64071 .

1 9. Respondent agrees that her Physical Therapist Assistant License is subject
2 to Public Repeval and she agrees to be bound by the Board's imposition of discipline as set forth
3 in the Disciplinary Order below.

4 **CIRCUMSTANCES IN MITIGATION**

5 10. Respondent Krista Anne Creed, has never been the subject of any
6 disciplinary action in California. She is admitting responsibility at an early stage in the
7 proceedings.

8 **CONTINGENCY**

9 11. This stipulation shall be subject to approval by the Physical Therapy Board
10 of California. Respondent understands and agrees that counsel for Complainant and the staff of
11 the Physical Therapy Board of California may communicate directly with the Board regarding
12 this stipulation and settlement, without notice to or participation by Respondent or her counsel.
13 By signing the stipulation, Respondent understands and agrees that she may not withdraw her
14 agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon
15 it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement
16 and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be
17 inadmissible in any legal action between the parties, and the Board shall not be disqualified from
18 further action by having considered this matter.

19 12. The parties understand and agree that facsimile copies of this Stipulated
20 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
21 force and effect as the originals.

22 13. In consideration of the foregoing admissions and stipulations, the parties
23 agree that the Board may, without further notice or formal proceeding, issue and enter the
24 following Order:

25 **DISCIPLINARY ORDER**

26 IT IS HEREBY ORDERED that Krista Anne Creed, holder of Physical Therapist
27 Assistant License No. AT 5193, shall be publicly reproved by the Physical Therapy Board of
28 California for violating Business and Professions Code section 2660, subdivision (d), and

1 California Code of Regulations, title 16, section 2660, subdivision (d), and California Code of
2 Regulations, title 16, section 1399.20, as set forth in Accusation No. 1D 2004 64071 (a copy of
3 the public reproof is attached hereto as Exhibit B and hereby incorporated by reference as if
4 fully set forth).

5 **ACCEPTANCE**

6 I have carefully read the above Stipulated Settlement and Disciplinary Order and
7 have been given the opportunity to discussed it with my attorney, if I so choose. I understand the
8 stipulation and the effect it will have on my license. I enter into this Stipulated Settlement and
9 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
10 Decision and Order of the Physical Therapy Board of California.

11 DATED: October 14, 2005.

12 Original Signed By:
13 KRISTA ANNE CREED
Respondent

14 I have read and fully discussed with Respondent the terms and conditions and
15 other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its
16 form and content.

17 DATED: October 16, 2005.

18 Original Signed By:
19 GARY M. PAUL, ESQ.
Attorney for Respondent

20 **ENDORSEMENT**

21 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
22 submitted for consideration by the Physical Therapy Board of California of the Department of
23 Consumer Affairs.

24 DATED: November 14, 2005.

25 BILL LOCKYER, Attorney General
of the State of California
26 Original Signed By:
CHRIS LEONG
27 Deputy Attorney General
Attorneys for Complainant

Exhibit A
Accusation No.

**BEFORE THE
PHYSICAL THERAPY BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. ID 2004 64071

KRISTA ANNE CREED
2529 Hermosa Ave.
Montrose, California 91020

Physical Therapy Assistant
License No. AT 5193

Respondent.

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Physical Therapy Board of California, as its Decision in this matter.

This Decision shall become effective on January 12, 2006.

It is so ORDERED December 13, 2005.

Original Signed By:
FOR THE PHYSICAL THERAPY BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
Donald Chu, PhD, PT, President